

REDACTED

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

PERRY M. SETON, M.D.
Certificate No. G-1289,

Respondent.

NO. D-2930

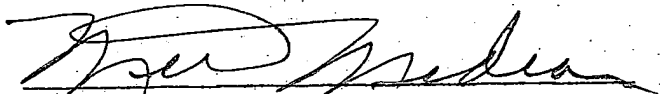
DECISION

The attached Stipulation is hereby adopted by the Division of Medical Quality of the Board of Medical Quality Assurance as its Decision in the above-entitled matter.

This Decision shall become effective on December 23, 1983.

IT IS SO ORDERED November 23, 1983.

DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE



MILLER MEDEARIS
Secretary-Treasurer

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 LAWRENCE C. KUPERMAN,
Deputy Attorney General
3 110 West A Street, Suite 700
San Diego, California 92101
4 Telephone: (619) 237-09

5 Attorneys for Complainant

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7 BEFORE THE
8
9 DIVISION OF MEDICAL QUALITY
10 BOARD OF MEDICAL QUALITY ASSURANCE
11 DEPARTMENT OF CONSUMER AFFAIRS
12 STATE OF CALIFORNIA

13 In the Matter of the Accusation)	NO. D-2930
Against:)	
)	
14 PERRY M. SETON, M. D.)	STIPULATION AND DECISION
15 16562 Grimaud Lane)	OF THE BOARD
Huntington Beach, California)	
16 92649)	
)	
17 Certificate No. G-001289)	
)	
18 Respondent.)	
)	

19
20 In the interests of a prompt and speedy settlement
21 of this matter, consistent with the public interest and the
22 responsibilities of the Board of Medical Quality Assurance
23 (Board), the parties submit this Stipulation to the Division of
24 Medical Quality of the Board for its approval and adoption as
25 the final disposition of the accusation.

26 The parties stipulate the following is true:

27 1. An accusation has been served on respondent

1 Perry M. Seton, M. D.

2 2. Respondent has fully discussed with his counsel
3 Jones and Wilson, by Sherwin V. Wittman, II, Esq., the charges
4 and allegations of violations of the Business and Professions
5 Code alleged in the accusation and has been fully advised of his
6 right to a formal hearing and an opportunity to defend against
7 the charges, reconsideration, and appeal from any adverse
8 decision which might be rendered following the hearing.

9 3. Respondent knowingly and intelligently waives all
10 rights to a hearing, reconsideration and appeal, and any and
11 all other rights which may be accorded him pursuant to the
12 Administrative Procedure Act, Government Code section 11500 et
13 seq.

14 4. Respondent admits the following:

15 a. At all times mentioned Robert Rowland was the
16 Executive Director of the Board of Medical Quality Assurance
17 and he made the accusation in his official capacity.

18 b. At all times mentioned herein respondent Perry M.
19 Seton, M. D., was licensed by the Board under physician's and
20 surgeon's certificate No. G-001289. The license is currently
21 inactive.

22 c. Quaalude, Tuinal, Valium, Doriden and Empirin with
23 Codeine #4, are dangerous drugs under section 4211 of the
24 Business and Professions Code and controlled substances under
25 Division 10 of the Health and Safety Code.

26 d. Respondent's certificate is subject to disciplinary
27 action because respondent committed unprofessional conduct as

1 defined in section 2234(d) of the Business and Professions Code
2 in that respondent was incompetent in connection with his
3 treatment of Richard H [REDACTED] as follows:

4 Between on or about October 27, 1977, and September 4,
5 1980, on numerous occasions, respondent prescribed Quaalude,
6 Tuinal, Valium, Doriden, and/or Empirin with Codeine #4, to
7 Richard H [REDACTED] a drug and alcohol abuser. During this time,
8 respondent failed to refer H [REDACTED] for alternative pain
9 therapies.

10 The foregoing admissions are made for this
11 stipulation only, and may not be used in any other proceeding or
12 for any other purpose.

13 WHEREFORE, THE PARTIES STIPULATE THE BOARD MAY ENTER
14 THE FOLLOWING ORDER:

15 The Physician's and Surgeon's certificate issued to
16 respondent, Perry M. Seton, M. D., is revoked; however, the
17 revocation shall be stayed and respondent placed on probation
18 for five (5) years on the following terms and conditions.

19 CONDITIONS

20 1. Within 90 days of the effective date of this
21 decision, respondent shall take and must pass an oral/clinical
22 examination in medical therapeutics to be administered by the
23 Division or its designee. If respondent fails this
24 examination, respondent must wait three months between
25 reexaminations, except that after three failures respondent must
26 wait one year to take each necessary reexamination thereafter.
27 The Division shall pay the cost of the first examination and

1 respondent shall pay the cost of any subsequent examinations.
2 Respondent shall not practice medicine until respondent has
3 passed this examination, and has been so notified by the
4 Division in writing.

5 If respondent fails to take and pass this examination
6 within 90 days of the effective date of this decision, the stay
7 of revocation of respondent's certificate shall automatically
8 dissolve and respondent shall cease the practice of medicine
9 until this examination has been successfully passed and
10 respondent has been notified by the Division in writing.

11 2. Respondent shall not prescribe, administer, or
12 furnish any Schedule II controlled substance as defined in
13 Health and Safety Code section 11055 except that respondent may
14 prescribe or administer such substances to patients who are
15 in-patients in licensed California hospitals.

16 3. During the first two (2) years of probation,
17 respondent shall successfully take and complete (40) hours of
18 approved continuing medical education in medical therapeutics
19 over and above the 25 hours of continuing medical education
20 annually required of every physician.

21 4. Respondent must obey all federal, state and
22 local laws, and all rules governing the practice of medicine in
23 California.

24 5. Respondent must submit quarterly declarations
25 under penalty of perjury on forms provided by the Division,
26 within thirty (30) days of the end of each quarter, stating
27 whether there has been compliance with all the conditions of

1 probation.

2 6. Respondent must comply with the Division's
3 probation surveillance program.

4 7. Respondent must appear in person for interviews
5 with the Division's medical consultant upon request at various
6 intervals and with reasonable notice.

7 8. In the event respondent should leave California
8 to reside or to practice outside the State, respondent must
9 notify the Division of the dates of departure and return.
10 Periods of residency or practice outside California will not
11 apply to the reduction of this probationary period.

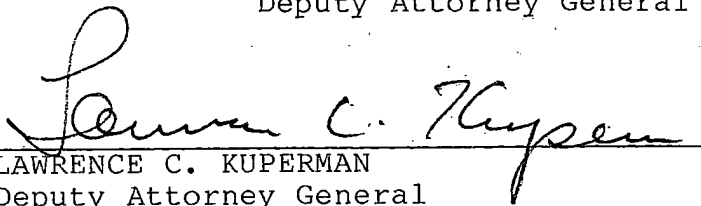
12 9. If respondent violates probation in any respect,
13 after giving respondent notice and the opportunity to be heard,
14 the Division may move to set aside the stay order and impose
15 the revocation of the respondent's certificate.

16 10. Upon successful completion of probation,
17 respondent's certificate will be fully restored.

18 DATED:

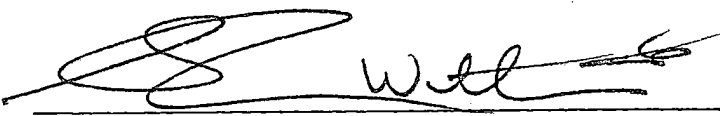
19 *Aug. 4, 1983*

JOHN K. VAN DE KAMP, Attorney General
LAWRENCE C. KUPERMAN,
Deputy Attorney General

20 
21 LAWRENCE C. KUPERMAN
22 Deputy Attorney General
23 Attorneys for Complainant

24 DATED:

25 *Aug 1, 1983*

26 
27 SHERWIN WITTMAN, II, Esq.
Jones & Wilson
Attorneys for Respondent

1 I have read the above document and fully discussed it
2 with my counsel. I fully understand accept and consent to all
3 of the provisions of the above stipulation.

4 DATED: July 20, 1983 Perry M. Seton, M.D.
5 PERRY M. SETON, M. D.
6 Respondent
7

8 The attached Stipulation is hereby adopted by the
9 Division of Medical Quality, Board of Medical Quality Assurance
10 of the State of California as its Decision in the above-entitled
11 matter and shall become effective on the _____ day of
12 _____, 1983.

13 IT IS SO ORDERED this _____ day of _____,
14 1983.

15 DATED: _____
16 DIVISION OF MEDICAL QUALITY
17 Board of Medical Quality Assurance
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1 GEORGE DEUKMEJIAN, Attorney General
2 LAWRENCE C. KUPERMAN,
3 Deputy Attorney General
4 110 West A Street, Suite 700
5 San Diego, California 92101
6 Telephone: (714) 237-7309

REDACTED

Attorneys for Complainant

BEFORE THE BOARD OF MEDICAL QUALITY ASSURANCE

DIVISION OF MEDICAL QUALITY

STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

) No. D-2930

) ACCUSATION

PERRY M. SETON
16562 Grimand Lane
Huntington Beach, California 92649

Certificate No. G-001289

Respondent.

Complainant, Robert Rowland, alleges:

1. He is the Executive Director of the Board of Medical Quality Assurance and makes this accusation in his official capacity.

2. On or about April 20, 1949, respondent was issued physicians and surgeon's certificate No. G-001289 by the Board. The license is in good standing.

3. Business and Professions Code (hereinafter "code") section 2220 authorizes the Division of Medical Quality to take disciplinary action against the holder of a physician and surgeon's certificate who commits unprofessional conduct.

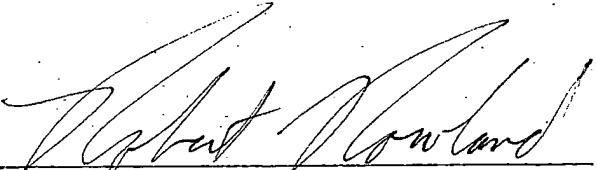
1 4. Code section 2234(d) provides that unpro-
2 fessional conduct includes incompetence.

3 5. The license of respondent is subject to
4 disciplinary action pursuant to code section 2234(d) because
5 respondent was incompetent in connection with his treatment
6 of Richard Hawkins as follows:

7 Between on or about October 27, 1977, and September
8 4, 1980, on numerous occasions, respondent prescribed
9 Quaalude, Tuinal, Talwin, Valium, Doriden, and/or Empirin
10 with Codeine #4, to Richard H [REDACTED] a drug and alcohol
11 abuser. During this time, respondent failed to refer
12 H [REDACTED] for alternative pain therapies.

13 WHEREFORE, complainant requests that the Board hold
14 a hearing on the matters alleged herein and following hearing
15 take disciplinary action as is provided in code section
16 2227, and take such other and further action as may be
17 proper.

18 Dated: August 12, 1982

19 
20 Robert Rowland
21 Executive Director
22 Board of Medical Quality Assurance
23 State of California

24 Complainant
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